

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ESPERANZA & GEORGE GINES
17 Bronwood Drive
Voorhees, NJ 08043

Plaintiff,

Vs.

TRIUMPH MORTGAGE CORP.
508 Main Street
Wilmington, DE 19804

And

RALPH V. ESTEP
508 Main Street
Wilmington, DE 19804

Defendants.

CIVIL ACTION NO. 08-478-GMS

TRIAL BY JURY DEMANDED

MOTION FOR EXTENSION OF DEADLINE TO ANSWER COMPLAINT

Pursuant to Fed. R. Civ. Pro. 6(b)(1)(B), Triumph Mortgage Corp. (“Triumph”) and Ralph V. Estep (“Estep”) (collectively, the “Defendants”) by and through their counsel, Sanclemente & Associates, LLC, respectfully request an extension of the deadline to file and serve an answer to the complaint in the matter captioned above (the “Complaint”). In support of their motion (the “Motion”), Defendants state as follows:

1. On or around July 31, 2008, Esperanza and George Gines (the “Plaintiffs”), by and through counsel, filed the Complaint in the matter captioned above.
2. On or around August 4, 2008, the Complaint was served on the Defendants.
3. On or around August 22, 2008, Defendants retained present counsel.
4. The deadline to answer the Complaint was Monday, August 25, 2008.

5. Counsel for the Defendants requires an extension of the deadline to answer the Complaint, as Defendants wish to negotiate a settlement. In addition, the Complaint is lengthy, and its answer requires both research and significant consultation with the Defendants.

6. On August 25, 2008, counsel for the Defendants attempted to file their answer to the Complaint but experienced difficulty accessing the Court's electronic docket. For that reason alone, the Motion is being filed after the answer deadline.

7. Counsel for the Defendants has made a reasonable effort to reach agreement with the opposing attorneys on the matters in the Motion, and such agreement has been reached. Counsel for all parties have corresponded regarding the Motion, and counsel for the Plaintiffs has no objection to the Motion.

8. Defendants reserve all rights, counterclaims, and defenses.

9. Triumph's Rule 7.1 Disclosure is attached hereto as Exhibit A.

WHEREFORE, Defendants request that this honorable Court (a) enter an order reserving Defendants' rights, counterclaims, and defenses, and permitting Defendants to file an answer to the Complaint on or before Wednesday, September 3, 2008; and (b) award Defendants such other relief as is just, proper, and equitable under the circumstances.

SANCLEMENTE & ASSOCIATES, LLC
Attorneys for the Defendants

By: /s/ Art C. Aranilla

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Dated: August 26, 2008

EXHIBIT A

Rule 7.1 Disclosure

No corporation is a parent corporation of Triumph Mortgage Corporation. No publicly held corporation owns 10% or more of Triumph Mortgage Corporation's stock.

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PROPOSED ORDER

On this _____ day of _____, 2008, this Court, having reviewed Defendants' unopposed motion for an extension of the deadline to answer the complaint (the "Complaint") in the matter captioned above, hereby orders that Defendants are permitted to file and serve an answer to the Complaint on or before Wednesday, September 3, 2008. All Defendants' rights, counterclaims, and defenses are reserved.

J. Gregory M. Sleet